

ORDINANCE NO. 2000-32-CM
AN AMENDMENT TO ORDINANCE NO. 94-26-CM
OF TIPPECANOE COUNTY INDIANA
BUILDING CODE OF TIPPECANOE COUNTY

AN ORDINANCE, regulating the construction, alteration, structural repair, location and use of buildings and structures in Tippecanoe County, Indiana; providing for the issuance of permits therefor providing penalties for the violation thereof, and repealing all ordinances and parts of ordinances in conflict therewith, including but not limited to 76-8, 76-13, 76-17, 10-85-CM, 88-5-CM and 94-26-CM, and TCC 4-61-7 and TCC 4-61-8.

BE IT ORDAINED by the Board of Commissioners of Tippecanoe County, Indiana as follows:

SECTION 1. TITLE. This ordinance, and all ordinances supplemental or amendatory hereto, shall be know (sic) as the "Building Code of Tippecanoe County, Indiana", may be cited as such, and will be referred to herein as "this code".

SECTION 2. PURPOSE. The purpose of this Code is to provide minimum standards for the protection of life, limb, health, environment, public safety and welfare, and for the conservation of energy in the design and construction of buildings and structures.

SECTION I (A) AUTHORITY. The Building Commissioner is hereby authorized and directed to administer and enforce all of the provisions of this code. Whenever in the buildings regulations, it is provided that anything must be done to the approval of or subject to the direction of the Building Commissioner or any other officer of the Board of Commissioners, this shall be construed to give such officer only the discretion of determining whether the rules and standards established by ordinance have been complied with; and no such provision shall be construed as giving any officer discretionary powers as to what such regulation, codes, or standards shall be, or power to require conditions not prescribed by ordinances or to enforce ordinance provisions in an arbitrary or discriminatory manner.

SECTION 3. (B). The Building Commissioner, after having been designated as the officer of a single agency to administer and enforce building regulations, shall be authorized to issue building permits, collect fees, perform inspections, order correction of violations of building regulations, and authorize occupancy of buildings and structures situated within the unincorporated areas of Tippecanoe County.

SECTION 4. SCOPE. The provisions of this code apply to the construction, demolition, alterations, structural repair, use, occupancy, maintenance and additions to all buildings and structures other than fences, mobile structures, and/or industrialized buildings certified under IC 22-15-4 in Tippecanoe County, except storage buildings of 120 square feet or less and not constructed on a masonry or concrete foundation.

SECTION -5. ADOPTION OF REGULATIONS BY REFERENCE.

A. Building rules of the Indiana Fire Prevention and Building Safety Commission as set out in the following Articles of Title 675 of the Indiana Administrative Code are hereby incorporated by reference in this ordinance and shall include later amendments to those Articles as the same are published in the Indiana Register or the Indiana Administrative Code with effective dates as Fixed therein:

- (1) Article 13-Building Codes
 - (a) Fire and Building Safety Standards
 - (b) Indiana Building Code, including Section 1106 and Appendix 11 (Agricultural Buildings)
 - (c) Indiana building Code Standards
 - (d) Indiana Handicapped Accessibility Code
- (2) Article 14. One & Two Family Dwelling Codes (675-14-4)
 - (a) Council of American Building Officials One & Two Family Dwelling Code
 - (b) CABO One & Two Family Dwelling Code; Amendments
 - (c) Standard for Permanent Installation of Manufactured Homes
- (3) Article 16. Plumbing Codes
 - (a) Indiana Plumbing Code
- (4) Article 17. Electrical Codes

- (a) Indiana Electrical Code, Including Article 547 (Agricultural Buildings)
 - (b) Safety Code for Health Care Facilities
- (5) Article 18. Mechanical Codes
 - (a) Indiana -Mechanical Code
- (6) Article 19. Energy Conservation Codes
 - (a) Indiana Energy Conservation
 - (b) Modifications to the Model Energy Code
- (7) Article 20. Swimming Pool Codes
 - (a) Indiana Swimming Pool Code

B. Copies of adopted building rules, codes and standards are on file in the office of the Building Commissioner.

SECTION 6. APPLICATION FOR PERMITS. No permits shall be issued for the foregoing Purposes, unless the application for such permit is accompanied by plans and specifications showing the work to be done, and listing the area of each level of the building and of the garage in square feet. All plans for building construction under the authority of the Fire Prevention and Building Safety Commission of the State of Indiana must also be filed with the State Building Commissioner if a State permit is required. No local permits shall be issued hereunder until a copy of a Design Release from the State Building Commission is received by the County Building Commissioner if such Design Release is required.

SECTION 7. PERMIT REQUIRED. A permit shall be obtained before beginning construction, demolition, alteration or structural repair of any building or structure, using forms furnished by the Building Commissioner. All permits shall be issued by the Building Commissioner, and all fees provided for herein shall be paid to Tippecanoe County, Indiana.

A. A building permit expires and becomes void if,

- (1) the work authorized by the permit is not started within one year from the date of issuance.
- (2) the work authorized by the permit is suspended or abandoned for six months.
- (3) the work authorized by the permit is not completed within two years from the date of issuance.

B. The Building Commissioner may grant extensions to the time limitations provided that the extension request is submitted prior to the expiration date.

C. All permits issued prior to September 1, 1994, shall expire and become null and void ninety (90) days after the effective date of this ordinance or September 1, 2000, whichever is the latter. The Building Commissioner may grant extensions to these permits upon cause shown by the permit holder.

SECTION 8. OTHER ORDINANCES. All work done under any issued hereunder shall be in full compliance with all other ordinances pertaining thereto and in addition to the fees for permits hereinafter provided for, there shall be paid the Fees prescribed in such ordinances.

SECTION 9. FEES.

A. One and two family dwelling fees are based on the square footage of the buildings with the exterior measurements used in determining the building area. The fee is fifteen (15) cents per square foot. The minimum fee is twenty five (25) dollars.

B. Detached garages, livestock confinement buildings, pole barns, yard barns, grain bins, additions, and other miscellaneous structures fees are based on square footage with the exterior measurements used in determining the building area. The fee is eight (8) cents per square foot. The minimum fee is twenty five (25) dollars.

C. Class One structure fee is twenty (20) cents per square foot or three thousand (3000) dollars, whichever is the lesser amount. The minimum fee is twenty five (25) dollars.

D. Electrical permit fees are forty (40) dollars for electrical services for mobile homes and manufactured homes and manufactured housing within mobile home parks.

Electrical permit fees for all other electrical services, up to and including two hundred (200) amperes, are fifty (50) dollars. The fee for electrical services over two hundred (200) amperes through four hundred (400) amperes is seventy-five (75) dollars. The fee for electrical services over four hundred (400) amperes is one hundred and fifty (150) dollars.

E. Demolition permit fees are ten (10) dollars per building to be demolished.

F. Land fill permit fees are twenty (20) dollars.

G. A reinspection fee of twenty Five (25) dollars will be charged for the third and subsequent inspections on a project for the same violations. Reinspection fees must be paid before subsequent inspections will be made. If the inspections are on an electrical service, the fee shall be paid before the service will be approved for connection.

H. When construction is started without first obtaining a building permit, a surcharge equal to fifty (50) percent of the permit fee will be assessed. Construction is deemed started when the first building element is put in place.

SECTION 10. REVIEW OF APPLICATION. Prior to the issuance of any building permit hereunder, the Building Commissioner shall:

- (a) Review all building permit applications to determine full compliance with provisions of this ordinance.
- (b) Review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding.
- (c) An application for a permit becomes null and void if the applicant does not secure the permit within ninety (90) days after its approval.

SECTION 11. INSPECTIONS. After the issuance of any building permit hereunder, the Building Commissioner shall make, or shall cause to be made, such inspections of the work- being done under such permit as are necessary to insure full compliance with the provisions of this ordinance and the terms of the permit.

SECTION 12. ENTRY. Upon presentation of proper credentials, the Building Commissioner or his duly authorized representatives may enter at reasonable times any building, structure or premises in Tippecanoe County to perform any duty imposed upon him by this code.

SECTION 13. STOP ORDER. Whenever work- is being done contrary to the provisions of this code, the Building Commissioner may order the work stopped by notice in writing, served on any person engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Commissioner to proceed with the work.

SECTION 14. CERTIFICATE OF OCCUPANCY. No final approval of construction for any building of structure erected, altered or repaired after the adoption of this ordinance shall be issued unless Such building or structure was erected, altered or repaired in compliance with the provisions of this ordinance.

SECTION 15. STANDARDS. All work on the construction, demolition, alteration and structural repair of buildings and other structures shall be performed in a good and workmanlike manner according to the accepted standards and practices in the trade.

SECTION 16. VIOLATIONS. It shall be unlawful for any person, firm or corporation, whether as owner, lessee, sub-lessee, or occupant, to erect, construct, enlarge, alter, repair, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure, other than fences, in Tippecanoe County or cause or permit the same to be done, contrary to or in violation of the provisions of this code.

SECTION 17. RIGHT OF APPEAL. All persons shall have the right to appeal the Building Commissioner's decision first through the Commissioners of Tippecanoe County and then to the Fire Prevention and Building Safety Commission of Indiana in accordance with the provisions of IC 22-13-2-7 or IC 4-21.5-3-7, as applicable.

SECTION 18. REMEDIES. The Building Commissioner shall, in the name of the Commissioners of Tippecanoe County, bring actions in the Tippecanoe Circuit Court, for mandatory and injunctive relief in the enforcement of and to secure compliance with any order or orders made by the Building Commissioners, and any such action for mandatory or injunctive relief may be joined with an action to recover the penalties provided for in this ordinance.

SECTION' 19. PENALTIES. If any person, Firm or corporation shall violate any of the provisions of this ordinance, or shall do an act prohibited herein, or shall fail to perform any duty lawfully enjoined, within the time prescribed by the Building Commissioner, or shall fail, neglect or refuse to obey any lawful order given by the Building Commissioner in connection with the provisions of this ordinance, for each violation, failure or refusal, such person, Firm or corporation shall be fined in the some of fifty (50) dollars. Each day of such unlawful activity as is prohibited by the first sentence of this section shall constitute a separate offense.

SECTION 20. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its adoption, approval by the Fire Prevention and Building Safety Commission of Indiana, and publication as required by law or September 1, 2000, whichever is the latter.

SECTION 21. No building permit shall be issued for the construction, extension, remodeling, alteration or structural repair of any proposed or existing building until the project has been checked for compliance with the Unified Zoning- Ordinance of Tippecanoe County. Certain construction Projects May require a site plan for the project to be approved by the Tippecanoe County Surveyor, a driveway permit or letter to be issued by the Tippecanoe County Highway Engineer, and/or a septic permit or letter to be issued by the Tippecanoe County Board of Health.

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and read for the first time, and approved on first reading this 3rd day of May, 2000, by the following Vote:

	VOTE	BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY	
Ruth Shedd	Yes	Ruth Shedd, President	_____
John Knochel	Yes	John Knochel, Vice President	_____
Kathleen Hudson	Yes	Kathleen Hudson, Member	_____

ATTEST:

Robert Plantenga, Auditor Tippecanoe County

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and read in full for the second time, and adopted on this 15th day of May, 2000, by the following Vote:

	VOTE	BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY	
Ruth Shedd	Yes	Ruth Shedd, President	_____
John Knochel	Yes	John Knochel, Vice President	_____

Kathleen Hudson	Yes	Kathleen Hudson, Member	_____
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ATTEST:

Robert Plantenga, Auditor Tippecanoe County